

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

LEODIS RANDLE

PLAINTIFF

v.

No: 4:19-cv-00407 KGB-PSH

DOES, *et al.*

DEFENDANTS

PROPOSED FINDINGS AND RECOMMENDATION

INSTRUCTIONS

The following Recommendation has been sent to United States District Judge Kristine G. Baker. You may file written objections to all or part of this Recommendation. If you do so, those objections must: (1) specifically explain the factual and/or legal basis for your objection; and (2) be received by the Clerk of this Court within fourteen (14) days of this Recommendation. By not objecting, you may waive the right to appeal questions of fact.

DISPOSITION

Plaintiff Leodis Randle filed a *pro se* complaint pursuant to 42 U.S.C. § 1983 on June 11, 2019 (Doc. No. 1). On June 13, 2019, the Court entered an order directing Randle to submit the full \$400.00 filing and administrative fees or file a fully completed and signed IFP application within 30 days. *See* Doc. No. 2. Randle was cautioned that failure to comply with the Court's order within that time would result in the recommended dismissal of his case, without prejudice, pursuant to Local Rule 5.5(c)(2).

More than 30 days have passed, and Randle has not complied or otherwise responded to the June 13 order. Accordingly, the Court finds that this action should be dismissed without

prejudice for failure to comply with Local Rule 5.5(c)(2) and failure to respond to the Court's orders. *See Miller v. Benson*, 51 F.3d 166, 168 (8th Cir. 1995) (District courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and exercise of that power is reviewed for abuse of discretion).

IT IS THEREFORE RECOMMENDED THAT Randle's complaint (Doc. No. 1) be DISMISSED WITHOUT PREJUDICE.

DATED this 18th day of July, 2019.

A handwritten signature in black ink, consisting of a stylized 'J' followed by a horizontal line and a small flourish.

UNITED STATES MAGISTRATE JUDGE